

**ORIGINAL**

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
GAINESVILLE DIVISION

FILED IN CLERK'S OFFICE  
U.S.D.C. - Gainesville

JUL 18 2008

JAMES N. HATTEN, Clerk  
By: *[Signature]* Deputy Clerk

JERRY CROWE,

Plaintiff,

v.

CREDITORS FINANCIAL GROUP, LLC,  
a New York limited liability company,

Defendant.

CIVIL ACTION FILE

**2 08 - CV - 0142 - WCO**  
NO. \_\_\_\_\_

**COMPLAINT FOR DAMAGES**

**INTRODUCTION**

1. This is an action for damages against the defendant for violations of the Federal Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692 et seq.

**SUBJECT MATTER JURISDICTION**

2. Subject matter jurisdiction in this Court is proper pursuant to 15 U.S.C. § 1692k(d) and 28 U.S.C. § 1337 (federal question jurisdiction).

### **PARTIES AND PERSONAL JURISDICTION**

3. Plaintiff is a resident of this State, District and Division and is authorized by law to bring this action.
4. Defendant CREDITORS FINANCIAL GROUP, LLC is a limited liability company organized under the laws of the State of New York. [Hereinafter, said Defendant is referred to as "CFG."]
5. CFG is subject to the jurisdiction and venue of this Court.
6. CFG may be served by personal service upon its registered agent in the state of Georgia, to wit: C T Corporation System, 1201 Peachtree Street N.E., Atlanta, Georgia 30361.
7. Alternatively, CFG may be served by personal service upon an authorized agent at its principle place of business, to wit: 3131 South Vaughn Way, Suite 110, Aurora, Colorado 80014.
8. Alternatively, CFG may be served by personal or substitute service pursuant to the Federal Rules of Civil Procedure and, as applicable, the laws of the States of Georgia, Colorado or New York.

### **FACTS COMMON TO ALL CAUSES**

9. CFG uses the mails in its business.
10. CFG uses telephone communications in its business.
11. The principle purpose of CFG's business is the collection of debts.
12. CFG regularly collects or attempts to collect debts owed or due, or asserted to be owed or due, another.
13. CFG is a debt collector subject to the provisions of the Fair Debt Collection Practices Act.
14. In the course of attempting to collect a debt allegedly due from Plaintiff to a business not a party to this litigation, CFG communicated with Plaintiff in a manner which violated the Federal Fair Debt Collection Practices Act.
15. CFG left a series of recorded voice messages for Plaintiff regarding an alleged debt.
16. In the voice mail communications, CFG did not meaningfully disclose its identity.
17. In the voice mail communications, CFG did not state that the communications were from a debt collector.

18. In the voice mail communications, CFG did not state that the communications were an attempt to collect a debt.
19. Defendant's communications violate the Fair Debt Collection Practices Act.
20. Plaintiff has complied with all conditions precedent to bring this action.

### **CAUSES OF ACTION**

#### **FAIR DEBT COLLECTION PRACTICES ACT**

21. The acts of Defendant constitute violations of the Fair Debt Collection Practices Act.
22. Defendant's violations of the FDCPA include, but are not limited to, the following:
  23. The placement of telephone calls without meaningful disclosure of the caller's identity, in violation of 15 U.S.C. § 1692d(6);
  24. The use of any false, deceptive, or misleading representations or means in connection with the collection of any debt, in violation of 15 U.S.C. § 1692e; and

25. The failure to disclose in subsequent communications that the communication is from a debt collector, in violation of 15 U.S.C. § 1692e(11).
26. As a result of Defendant's actions, Plaintiff is entitled to an award of statutory damages, as well as an award of costs and attorney fees.

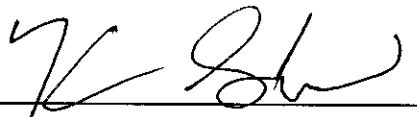
WHEREFORE, PLAINTIFF RESPECTFULLY PRAYS THAT  
JUDGMENT BE ENTERED AGAINST DEFENDANT AND IN FAVOR OF  
PLAINTIFF, AS FOLLOWS:

- a) That Plaintiff be awarded statutory damages;
- b) That Plaintiff be awarded the expenses of litigation including a reasonable attorney fee;
- c) That the Court declare each and every defense raised by Defendant to be insufficient; and
- d) That the Court grant such further and additional relief as is just in the circumstances.

Respectfully submitted,

**THE LAW OFFICE OF KRIS SKAAR, P.C.**

by:

A handwritten signature in black ink, appearing to read 'Kris Skaar', is written over a horizontal line.

Kris Skaar

Attorney for Plaintiff

Georgia Bar No. 649610

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